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COMMITTEE ON THE ELIMINATION OF
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ADOPTION OF THE REPORT OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN ON ITS SIXTEENTH SESSION

Draft report

Rapporteur: Ms. Aurora Javate DE DIOS (Philippines)

Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

4. Third periodic report

Venezuela

1. The Committee considered the third periodic report of Venezuela (CEDAW/C/VEN/3) at its 323rd and 324th meetings, on 22 January 1997 (see CEDAW/C/SR.323 and CEDAW/C/SR.324).

2. The representative of Venezuela explained that the third periodic report described implementation of the Convention from 1989 to 1995. It had been prepared after the Government had been formed in 1994.

3. The representative emphasized that the third periodic report outlined the progress achieved by women in implementing the Convention during the period indicated. However, she stressed that the report did not include the Ninth National Plan drawn up by the Government. That Plan guaranteed equal opportunities for women and men in all areas of public life, as well as the

integration of a gender perspective, and sought the full realization of the goal of genuine democracy.

4. The representative stated that the process of preparing the report had provided the Government of Venezuela with the opportunity to assess the progress achieved in the implementation of the Convention. She also acknowledged the role of the Committee in the follow-up to the implementation of the Beijing Platform for Action, and expressed the hope that the critical views expressed by the Committee would improve the Government's work.

5. The representative made clear that Venezuela, as well as the rest of Latin America, was experiencing social, political, economic and cultural transformations that were having a tremendous impact on society, particularly on women, who had seen their incomes and traditional sources of support reduced and their responsibilities expanded. However, she pointed out that the economic and political crisis of the 1980s and part of the 1990s had forced women to demand greater participation in society and the State. It was in that context that demands for "participative representation" were being made by new players, especially women.

6. The representative stressed that Venezuela had one of the highest rates of population growth in Latin America. She said that the country was affected by the end of the revenue-based model, which was causing inflation and affecting the living conditions of the population, especially women heads of household. She said that the "Plan Venezuela" had been put in place to alleviate, in the short term, the impact of structural adjustment programmes on the most vulnerable sectors of the population.

7. The representative provided a review of the major achievements with respect to equality between women and men. She described various legislative amendments, in particular the Sexual and Domestic Violence Bill, the amendments to the Civil Code concerning equality of rights and responsibilities between spouses in marriage, the principle of solidarity and sharing of responsibilities within the family, and the right for teenage mothers to remain in school. In addition, she indicated that the National Women's Council was the machinery that monitored the implementation of the legal reforms and the strategies agreed to in the Beijing Platform for Action.

8. The representative made clear that, in spite of the progress indicated, insufficient emphasis was being given to women's access to training and literacy and to programmes for the empowerment of women, and that persistent stereotypes, often found in educational texts and cultural attitudes, remained obstacles to the advancement of women. She also informed the Committee that among the remaining inequalities, economic ones persisted against women, particularly in the labour force, where their position and remuneration had placed them at a lower level than men. In addition, women were still marginalized in terms of resources, and their political participation was quite limited owing to the resistance to quotas of political parties.

9. The representative emphasized actions to be taken in the short term, including amendments to the Equal Opportunities for Women Act, which were expected to lead to the establishment of the independent Women's Institute.

10. The representative regretted that the Committee's procedures for periodic reports, which allowed only a short time for Governments to respond to written questions, did not enable Governments to provide deep analysis and appropriate replies. She concluded by emphasizing that a State party should not be subjected to undue pressures as a result of Committee procedures.

Introduction

11. Venezuela had presented a report covering the period from 1989 to 1995. The Committee expressed appreciation to the representative of Venezuela for the frankness with which she had described the social, economic and political situation of women in her country and the way in which her Government had tried to implement the Convention.

12. Unfortunately, the report had not been prepared according to the Committee's guidelines and had not provided statistics on problems related to each article of the Convention. Nor did it contain a detailed, factual description of the policies and programmes being carried out and their success in meeting the de facto needs of Venezuelan women with a view to complying with the Convention.

13. Nevertheless, the report contained a large amount of data on the de jure situation of women in Venezuela; that information had been taken up again and, in some cases, expanded upon in the oral presentation. The Committee thanked the representative for answering most of the 74 questions put to the Government and noted with understanding the representative's statement that lack of time had made it difficult to provide the Committee with more detailed answers or with updated statistics.

Factors and difficulties affecting the implementation of the Convention

14. The most serious obstacle to implementing the Convention in Venezuela was clearly the poverty facing a large percentage of the population (77 per cent of the urban population and 75 per cent of the rural population were living in poverty). That problem had been exacerbated by the fact that 83.99 per cent of the population had moved to urban areas, leaving only 16.01 per cent in the countryside. Among the population aged 25 to 44 years, the percentage of women migrants was greater than that of men.

15. Another serious problem was what was referred to as the "exhaustion of the revenue-based development model of the Venezuelan economy", which had forced the Government to take economic measures to control inflation and balance the budget, at the cost of social investment. The severe restrictions placed on social spending had primarily affected the most vulnerable population groups, including women, leading to the so-called "feminization of poverty".

16. The country had been unable to revitalize and balance its economy, although it had implemented the so-called "Plan to combat poverty" in an attempt to mitigate the social costs of adjustment. The plan had not been very successful, as the report indicated.

17. The economic situation was exacerbated by the persistence of entrenched patriarchal patterns and of stereotypes and prejudices against women in people's social attitudes. Such patterns and attitudes were reinforced by a set of laws that had thus far resisted amendment (for instance, a proposal for amending the Penal Code had been under consideration since 1985), despite considerable efforts on the part of various governmental bodies and non-governmental organizations.

18. Another obstacle to the implementation of the Convention was the lack of continuity in State policies and programmes for women, which meant that concepts, methods and mechanisms for solving problems and implementing the Convention coherently and systematically kept changing.

19. A further problem was that it was difficult to secure passage, by the legislative branch, of legislative proposals for combating discrimination against women.

20. The national machinery for implementing the Convention, the National Women's Council, did not seem to have the resources, decision-making powers and necessary influence successfully to introduce a gender perspective in the various government bodies.

Positive aspects

21. The Committee welcomed the Penal Code Reform Bill and the Sexual and Domestic Violence Bill.

22. The Committee viewed as very positive the Equal Opportunities for Women Act, under which an Independent Women's Institute and a National Office for the Defence of Women's Rights were to be established.

23. The incorporation of a gender perspective in the Eighth National Plan and the preparation of a national programme for women with that perspective were important achievements.

24. The promulgation of legislation guaranteeing that pregnant teenagers could complete their education and could not be withdrawn from school because of their pregnancy was a great success.

25. The cooperation initiated by the National Women's Council with non-governmental organizations and the creation of seven national women's networks were extremely positive steps.

Principal subjects of concern

26. In addition to the poverty in which Venezuela's population was living, the Committee was extremely concerned at the absence of any practical plans at the grass-roots level for putting forward women's demands, and at the fact that it was difficult to secure passage of legislative proposals for meeting women's needs.

27. The Committee was also concerned that the country had not made much real progress in implementing the Convention and that, despite its efforts, it had yet to respond effectively to problems such as domestic violence, prostitution, early pregnancy, female illiteracy, discrimination in the workplace in terms of how much women were paid, the high percentage of women receiving less than the minimum wage, the elimination of stereotypes, and the changes that needed to be made in the country's legal system, which reinforced existing stereotypes.

28. The Government had also failed to set up a national programme for implementing the strategies set forth in the Platform for Action adopted at the Fourth World Conference on Women, held in Beijing in September 1995 - even strategies in such urgent priority areas as poverty eradication.

29. Another area of concern was the reduction in health budgets, the rise in the maternal mortality rate, the lack of and limited access to family planning programmes (especially for teenagers), the lack of statistics on AIDS, and women's limited access to public health services. In addition, legislation that criminalized abortion, even in cases of incest or rape, remained in force.

30. The Committee was concerned that employment opportunities for women had been lost as a result of cutbacks in the State employment sector, especially since that was forcing women into the informal economy and into low-paid service jobs.

31. The Committee was also deeply concerned at the fact that the State had increased social spending not in order to develop social programmes but in order to raise the wages of State employees.

32. It was a source of great concern that, although Venezuela had ratified the Convention without reservations, there was continuing discrimination against women in the area of citizenship rights: upon marriage, a Venezuelan man had the right to confer his nationality upon his spouse, while a Venezuelan woman did not, a situation that violated article 9 of the Convention.

Suggestions and recommendations

33. The Committee especially recommended the implementation of effective programmes for combating poverty, which affected women in particular.

34. The Committee said that it would welcome early adoption of the amendments to the Penal Code and of the Sexual and Domestic Violence Bill, and the repeal of the article of the Civil Code concerning citizenship rights that conflicted with the Convention.

35. The Committee recommended that Venezuela fulfil the commitments which it had made in adopting the Beijing Platform.

36. The Committee suggested that policies and programmes should be undertaken to halt the rise in the maternal mortality rate and that family planning programmes for teenagers should be developed.

37. The Committee suggested that the Government should work for early approval of the establishment of the Independent Women's Institute and the National Office for the Defence of Women's Rights.

38. The Committee recommended that the Government undertake broad-based programmes, through the mass media and other possible channels, to combat gender stereotypes, paying particular attention to removing obstacles of that kind which resulted in women being paid 25 per cent less than men for their work, despite the protection afforded by labour law, which recognized the principle of "equal pay for equal work".